

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

JAN 09 2024

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

VS.

MARIO JAMES VALDEZ,

Defendant.

CRIMINAL NO.

Count 1: 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(iii): Possession with Intent to Distribute 28 Grams and More of a Mixture and Substance Containing Cocaine Base;

Count 2: 18 U.S.C. § 924(c)(1)(A)(i):
Possessing a Firearm in Furtherance of a
Drug Trafficking Crime;

Count 3: 18 U.S.C. §§ 922(g)(1) and 924:
Felon in Possession of a Firearm and
Ammunition;

Count 4: 18 U.S.C. § 842(i)(1): Felon in Possession of Explosive Materials.

INDICTMENT

The Grand Jury charges:

Count 1

On or about August 1, 2023, in Santa Fe County, in the District of New Mexico, the defendant, **MARIO JAMES VALDEZ**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved 28 grams and more of a mixture and substance containing a detectable amount of cocaine base.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(iii).

Count 2

On or about August 1, 2023, in Santa Fe County, in the District of New Mexico, the defendant, **MARIO JAMES VALDEZ**, knowingly possessed a firearm in furtherance of a

drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, possession with intent to distribute cocaine base as charged in Count 1 of this indictment.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

Count 3

Beginning on or about October 16, 2023, and continuing until on or about October 20, 2023, in Santa Fe County, in the District of New Mexico, the defendant, **MARIO JAMES VALDEZ**, knowing that he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, specifically:

- (1) shooting at or from a motor vehicle; and
- (2) extortion;

knowingly possessed a firearm and ammunition in and affecting commerce.

In violation of 18 U.S.C. §§ 922(g)(1) and 924.

Count 4

Beginning on or about October 16, 2023, and continuing until on or about October 20, 2023, in Santa Fe County, in the District of New Mexico, the defendant, **MARIO JAMES VALDEZ**, knowing that he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, specifically:

- (1) shooting at or from a motor vehicle; and
- (2) extortion;

knowingly possessed explosive materials in and affecting commerce.

In violation of 18 U.S.C. § 842(i)(1).

FORFEITURE ALLEGATIONS

Upon conviction of any offense in violation of 21 U.S.C. § 841, the defendant, **MARIO JAMES VALDEZ**, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense(s). The property to be forfeited includes, but is not limited to:

- a. a 9mm pistol, with no serial number or manufacturer markings, as well as a 32-round 9mm magazine;
- b. a Glock 43 semiautomatic pistol, with serial number AGFT933;
- c. a .45 caliber semiautomatic pistol, with no serial number or manufacturer markings, as well as 15 rounds of .45 caliber ammunition;
- d. a Saiga .410 shotgun, serial number 01203314, as well as a drum magazine and 21 .410 gauge shotgun shells;
- e. a Sig Sauer .556 AR-style rifle, serial number 44A009947, as well as two 30-round magazines and 60 rounds of .556 ammunition;
- f. a Winchester Model 70 .30-06. rifle, serial number G1197303, as well as four rounds of .30-06 ammunition; and
- g. a Weatherby Vanguard .300 rifle, serial number VS394412.

Upon conviction of any offense in violation of 18 U.S.C. §§ 922(g) or 924(c), the defendant, **MARIO JAMES VALDEZ**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the commission of the offense(s), including, but not limited to:

- a. a 9mm pistol, with no serial number or manufacturer markings, as well as a 32-round 9mm magazine;
- b. a Glock 43 semiautomatic pistol, with serial number AGFT933;
- c. a .45 caliber semiautomatic pistol, with no serial number or manufacturer markings, as well as 15 rounds of .45 caliber ammunition;
- d. a Saiga .410 shotgun, serial number 01203314, as well as a drum magazine and 21 .410 gauge shotgun shells;
- e. a Sig Sauer .556 AR-style rifle, serial number 44A009947, as well as two 30-round magazines and 60 rounds of .556 ammunition;
- f. a Winchester Model 70 .30-06. rifle, serial number G1197303, as well as four rounds of .30-06 ammunition; and
- g. a Weatherby Vanguard .300 rifle, serial number VS394412.

A TRUE BILL:

161

FOREPERSON OF THE GRAND JURY


Assistant United States Attorney
eyr